FARAD CONTINUATION SHEET NO.:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.8142 OF 2006
With
WRIT PETITION NO.8151 of 2006

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.Uday Warunjikar for petitioner.
Mr.S.B.Shetye for respondent No.1.

CORAM : H.L GOKHALE, ACTING C.J. & V.M.KANADE, J.

DATED : 16th January 2007

P.C. :

1. Heard the learned Counsel for the parties in both the above Petitions.

2. The first Petition i.e. Writ Petition No.8142 of 2006 is about the formation of ward gat in Khandala Taluka and the second Petition i.e. Writ Petition No.8151 of 2006 is about the formation of ward gat in the Mahabaleshwar Taluka at District Satara.

3. The case of the

petitioners in both the Petitions is that the objections were filed to the formation of the ward gat and those objections have not been considered properly by the Divisional Commissioner.

4. A reply dated 8th January 2007 has been filed on behalf the 1st respondent pointing out that some 96 objections were received. In fact, the Divisional Commissioner, Pune Division, recommended some 33 objections out of these 96 to the State Election Commission, but the State Election Commission did not entertain those objections.

5. In the second Petition, there is also an objection with respect to a Government Circular that the certificates are not to be issued to the claimants of Mahadeo Koli, Scheduled Tribe in Mahabaleshwar Taluka. That is the

letter dated 21st September 2006 from the Tahsildar, Mahabaleshwar. Mr.Warunjikar appearing for the petitioners makes a grievance with respect thereto as well.

6. Now, what has happened is that both these Petitions were filed in November 2006. The election programme has been announced for this Zilla Parishad on 21st December 2006. The wards have already been finalized. The final Notification was issued on 8th September 2006. This being the position, it is too late in the day to interfere into the ward formation.

7. Both the above Petitions are rejected.

8. As far as the grievance with respect to the circular not to grant certificates to the persons belonging to the Mahadeo

Koli, Scheduled Tribe is concerned, it will be open for the petitioner concerned to challenge it in some other appropriate Forum.

9. In view of the rejection of both the Petitions, nothing survives in Civil Application (Stamp) No.1023 of 2007 taken in Writ Petition No.8151 of 2006 and the same is rejected as rendered infructuous.

(ACTING C.J.)

(V.M. KANADE, J.)